

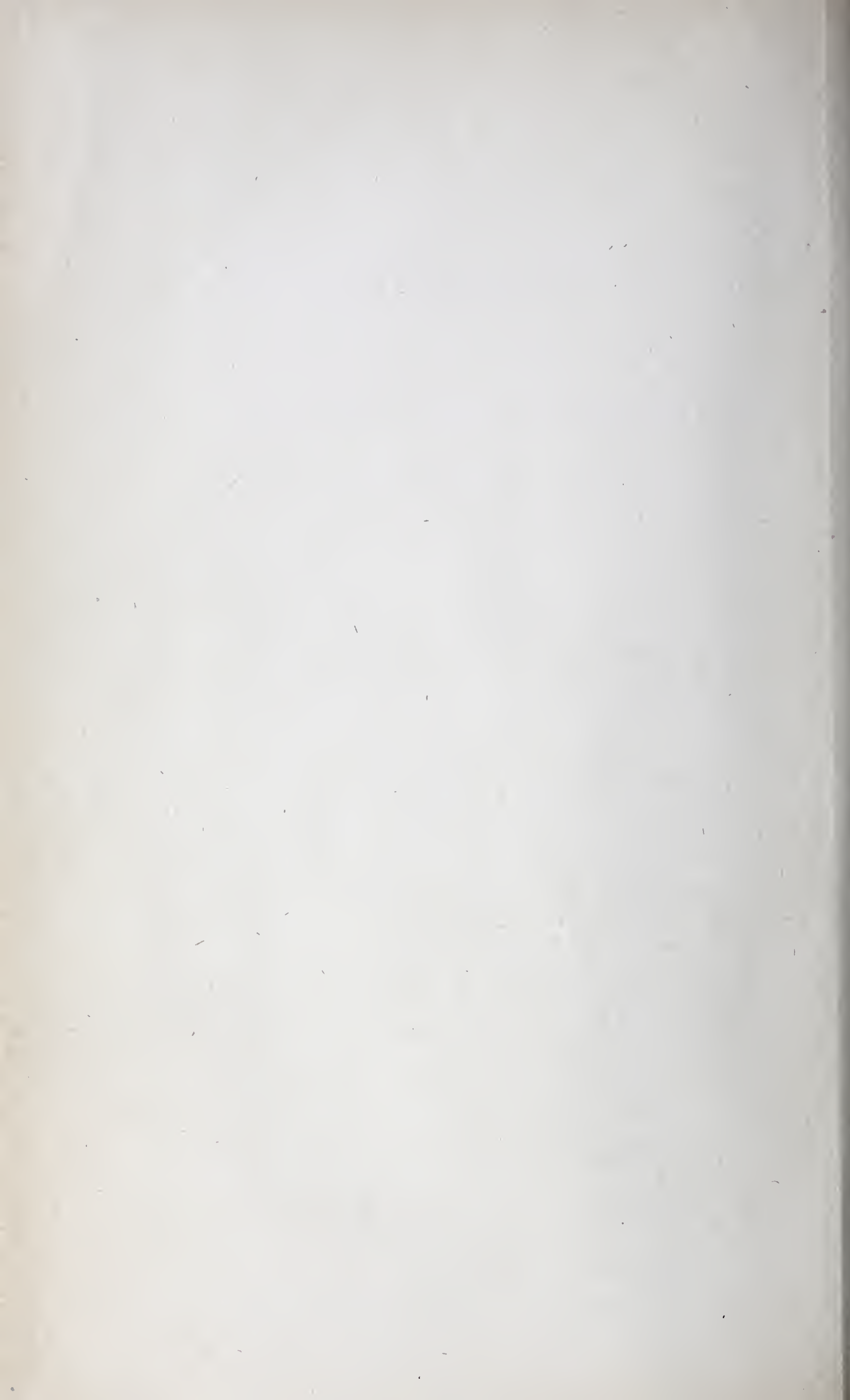
The Colorado Mine War

BY

The Reverend A. A. Berle, D.D.

Cambridge, Mass.





[Reprint from Bibliotheca Sacra.]

REV. DR. A. A. BERLE for some years was professor of Applied Christianity at Tuft's College.

For twenty years Dr. Berle has been interested in all phases of the labor question, especially for the betterment of labor, and it is said that scarcely a law touching upon the relations between labor and capital has been put upon the statute books of Massachusetts within that time in which his influence has not been felt. Some of them were drawn with his own hand. Through this activity he has enjoyed the confidence and co-operation of labor leaders in Massachusetts to a marked extent.

Consequently when he came to study the condition of affairs in Colorado he came as one who knew what to seek and how to seek it.

ARTICLE III.

THE COLORADO MINE WAR.

BY THE REVEREND A. A. BERLE, D.D., CAMBRIDGE, MASS.

It has long been one of the axioms of statesmanship, so-called, that the surest method by which a nation can be diverted from the steady and serious contemplation of its own domestic affairs, is to fix the attention upon things in foreign lands; and Mr. Seward is said to have advised Mr. Lincoln to engage in a foreign war, in order to turn thus the attention of the American people from their interest in the question of slavery. The vast European war which is now engrossing the thought of the civilized world is having precisely this effect upon some of the most pressing of our domestic problems which are fraught with the greatest possibilities for good or evil to our own people. One of these is finding its most costly and dangerous expression, at the present moment in Colorado, in the fierce and deadly struggle which is being waged in that State in what is now generally known as the Colorado Mine War. And war is no misnomer for the contest. For it has had all the bloody and murderous accompaniments of war. Machine guns, repeater rifles, fire, and devastation have been really and actually present in this struggle. Men have been killed in open battle. Property has been destroyed. Women and children have met their death exactly as they are now being reported as meeting it in the bloody struggle of Europe. The only reason they are not being massacred in Colorado at this min-

ute is that the cavalry of the United States are camped on the spot ready to open fire upon disturbers of the peace whoever they happen to be. Civil government has broken down in Colorado precisely as it has in the war-swept portions of Europe. The orderly processes of law exist, where they exist, only because the military arm of the national government is present, and permitting them to be exercised.

Only the intense preoccupation of the national mind with the vaster affairs of Europe prevents this matter from being one of the most acute problems to be solved in the immediate future. Only the fresh questions forced upon us by our foreign relations prevent the nation from thinking with the greatest possible tenseness and anxiety concerning an issue which, sooner or later, must be threshed out in the forum of the national political arena, and cause the establishment of some definite principles with reference to the future relations of some kinds of enterprises to the national and state governments. One of these is the mining industry. The Colorado war, important and frightful as it has been and is, is but a part of a vaster question which is looming up in this land, of which deadly hints have already been given at Lawrence, at Paterson, at Butte, and at Los Angeles. Under the influence of higher and more effective organization and the political instruction of the laboring millions, the question is rapidly ceasing to be a question of the relations of capitalist and laborer, and becoming one which has to do with the permanence of republican government. It is rapidly taking on a form which has to do with the permanence of judicial administration, the existence of processes of law, and the determination of the questions of industrial development and relations by civil processes. In Colorado at present, notice has been given that the appeal is to be made to force,

and force of the deadliest kind. The question is no longer one which has to do with wages, with conditions and with the proper supervision of industrial relations, but whether there shall be any courts, any law, or any administration of any kind that will not be coerced by threats of destruction. This is the situation in Colorado at the present time. It is not strange, therefore, that people in that State, without regard to party affiliation, are combining, first of all, to restore the rule of law. They are making every effort to restore conditions which will bring back the sovereignty of their State, and leave them no longer a satrapy governed by the military orders of the President of the United States. The present government of Colorado is the private beliefs of the President of the United States. By his order the troops are in that State, and by his orders they remain. Through this order they are issuing all sorts of decrees, bearing not only upon peace and order, but upon the relations of mine owners and their workmen. They are defining the status of industrial relations. They are determining whether a man may work in that State or not. They are ruling as to whether he is or is not a resident of Colorado. They are determining whether he has or has not a right to work in the mines. They are thus assuming functions which show clearly that civil government has utterly broken down; and while the machinery of government is there, it is permitted to work, when it does work, only by sufferance of the commanders of United States troops.

Such a state of affairs in any State in the Union should receive the interested attention and mature thought of every citizen of this land. And it should receive this, because it indicates with unerring precision what may reasonably be expected if there is not a check, and a powerful check, put at

once, upon certain tendencies which are growing not only in the western portions of the land, but in every part of the land with increasing force and power. The laboring hosts of the United States are no longer a downtrodden fraction, "helpless in the hands of capitalists." The notion that the laboring millions are any longer in fear of their employers, or that they are to be considered in any other manner than a thoroughly well organized group of combatants perfectly capable and perfectly equipped to meet on fair terms their antagonists, is a superstition. The labor question has ceased to be one in which sympathy for the "laboring masses" should play any part whatever. The history of the dynamiting outrages shows that. But it is even more clearly shown by the vast sums which are now at the command of the leaders in any labor struggle. In Colorado, the present contest must be costing the labor side many thousands of dollars, running possibly in the hundreds of thousands. Without these funds this strike and its attendant results could not possibly have been brought about. These funds come from every part of the land. They come by as real a tax upon millions of men as any tax ever laid. These funds are beyond public scrutiny, and are accounted for to nobody who has the public interest at stake. Unlike the great corporations, that, at least, are subject to legislative supervision and control, the United Mine Workers, for example, can commandeer hundreds of thousands of dollars for which no accounting at all need be given to any responsible authority which represents the public interest. The sooner the significance of this fact is comprehended, the better for the people of the United States; for, on the settlement of the principle involved, depend the perpetuity of our courts, the continuance of legal and civil administration, and the possibilities of or-

derly industrial and social development. But at least it should, once and for all, dissipate any foolish or maudlin sympathy for these organizations, as a part of the solution of the problems with justice and righteousness. The present writer yields to absolutely nobody in his devotion to the cause of the downtrodden and the oppressed. His life has been spent in that cause. But no well-informed person can fail to see that, from now on, this matter is to be regarded, by the neutral and disinterested portion of the population, not as a case of the "oppressed" rising against their "oppressors," but as that of two equal or very nearly equal contending forces which are battling against what belongs to neither of them, but to the general public and to civilization, namely, order and law, and seeking to insure that there shall be in this country an *imperium in imperio*! It has been a common saying that there was such a government within the government, and that it has been one of wealth. This may have been the case. It is probably not the case now. There is an inner government of labor organization, which is quite as capable of tyranny, rapine, cruelty, and robbery as the inner government of wealth. What we want now, is to see that fact clearly, in order not to substitute one tyranny for another. It will do us little good if we throw off the tyranny of capitalists, only to substitute another called labor. As a matter of fact there is now no difference in the methods of these two. Tyranny operates exactly alike wherever it is. Many people have not yet emerged from the dream that the "labor" millions are a helpless lot of people who need to be "sympathized" with every time they make an issue or raise an argument. That was once the case. It is the case no longer. There is not a stain on the record of the marauders of capital which is not now also upon the record of

the marauders of labor. There is this difference, however. That so-called capitalists will never command any sympathy and will never get a just consideration of their case, if they happen to have one, unless the people of this country wake up to the fact just indicated. It is not unthinkable that the public will in time come to feel as bitterly over labor tyranny as it has in times past felt over capitalist tyranny. Nothing brings this fact into bolder relief than the struggle in Colorado. It should be borne in mind, from the very outset, that, in trying to understand the situation, the combatants are not one big and the other little. They are big balanced foes, and there is no sympathy to be wasted on either. What the general public needs to do is to remember this fact, and try to examine with impartial justice the documents in the case, and get at the basic elements of the contest.

THE BASIS OF THIS DISCUSSION.

The basis of this discussion was secured by means of a ten-days' visit to Colorado, during which the present writer talked with many people, representing every conceivable shade of opinion and interest. He discussed the question as a whole, and many particular points of the struggle, with leaders on both sides, and public men who were wholly disinterested. He talked with officers of the Colorado Fuel and Iron Company, examined documents submitted by them, including their briefs submitted to the Congressional Committee, together with countless other publications from people who could have any knowledge of the facts of any kind. In a similar way, he visited the headquarters of the labor leaders, talked with the president of the Colorado Federation of Labor, got their documents and briefs, sought out every authority obtainable setting forth the facts from their point of

view. He sought mine operators who were unionized, or had been, and others who were not. He talked with public officials of every kind and rank. He sought out officials of courts, sheriffs and mayors of towns. He visited some of the mines and some of the battlefields, and saw himself the evidences of the bloody fray. He saw homes of miners and examined their living conditions. He talked with many persons who were a part of the trouble when it was at its worst, like clerks who took up arms to defend themselves from attack and thought only of self-defense. He talked with the head of the Colorado military forces and some of his subordinates. He talked with the commanding officers of the United States Troops and got their views as to conditions and all that they could, by the terms of their employment, communicate. He discussed the question at issue with leading citizens of all shades of political opinion. He has patiently examined a mass of documents almost unbelievable in volume, and tried to sift out of their special pleading and obvious partisanship, what was true and what was false. He has endeavored to sift these impressions through an unbiased mind, and make the deductions which the personal elements in all such discussions naturally invited. He asked the President of the Colorado Fuel and Iron Company to name the strongest man on the other side, and then sought especially to weigh and examine that witness, as being the one most feared by the foe. In a similar way he asked the President of the Colorado Federation of Labor to name the strongest man on his opposing side, and made that witness a special subject of examination both as to character, acts, and ideas. He sought thus to know upon what the leaders placed their emphasis. He sought to get each side to pin its cause to something on which they were willing to stand or fall. In

this way, he believes he has been in a position to get a fair estimate of the value of the evidence submitted, and make reasonable inferences from the facts in dispute. If there was a fairer way to get at the basic truth of this struggle than this, the writer does not know it. He accepted favors from nobody and is under obligations to nobody. In the weeks since that time, all this material has been carefully gone over and collated, and one of the significant things about it, which may be stated at this point, is, that the amount of falsehood which has been spread over the land concerning the strike is the outstanding feature of the whole business. Perhaps the journalistic situation in Colorado and the country at large, is responsible for some of this. But, at all events, it may be laid down that there are no more monstrous lies, libels, and iniquitous misrepresentations possible, than have been sent abroad from Colorado with reference to this struggle. Unless we are willing to believe that the State of Colorado is full of wanton, brutal assassins, and that all the natural emotions and common standards of human action are dropped into a well at one fell swoop, then a very large part of what has been written about the Colorado Mine War may as well be discarded at once. The facts are horrible enough. The truth, naked and unembellished, is a story to make Americans hang their heads with shame. The simple narrative of what took place (alas, that is just what it is so hard to get) should make every man pause, and consider how momentous are the issues at stake. And for this very reason it is needful to avoid making deductions on the basis of falsehoods and appeals to prejudice and sympathy. We are here dealing with what may, before long, as surely bring about civil war in this country as anything can be. Principles of action are forming, which, if they bear murders, machine guns, repeat-

ing rifles, fire and slaughter in the green tree, may well bring us to civil war when they are matured. While this article is being written, already similar scenes are being enacted in Butte, and the forces are lining up for what may at any time become another war like the Colorado war. In California, agencies are at work already, which seek to bring about a struggle like that which has broken out in Colorado and Montana. But we shall not get anywhere, unless we get to a frame of mind which will automatically reject the clouds of lies which flood the land. Public opinion based on these or on prejudiced and partisan expositions of the situation, will surely err. It has taken weeks of study and reflection to get what portion of the truth the present writer has on the subject, and he makes no pretense to having the last word. The "last word" will not be written for many years probably. What is needed now, is the right attitude toward the whole problem. Only patient and long-continued investigation will bring forth the full truth. This is the reason why manifestoes of one kind and another, other than such as seek merely to urge public opinion to a fair consideration of the facts, are worse than fruitless. On the contrary, they are likely to make a bad matter worse. All that this article aims to accomplish is to give one fair observer's attitude.

AS TO MINE CONDITIONS.

No mining conditions in the country are what they should be. The work of mining is so hard, and the necessary difficulties attendant upon the prosecution of the industry are such, that the work of mining will always be hard work, and work full of risks and dangers to life and health. The State of Colorado has what both operators and mine workers pronounce the best mining law in the country. When it is asked

why the conditions are not better, this being the case, the labor leaders tell you that the law is not enforced. They will tell you that the mine operators are not complying with the law. But admitting this to be the fact, that is an impeachment not of the mine operators, but of the civil authorities of the State, whose business it is to enforce its laws. But when you ask disinterested citizens as to whether the general enforcement of law, in this respect, is as good as the general enforcement of law in other respects, you will be told that the laws here are enforced about as well as they are in many other things, and that this cannot be singled out as an exceptional case of non-enforcement of the laws. That the law is not or has not been enforced seems clear enough from the common admission of everybody concerned, but it cannot be cited as a case of exceptional lawlessness on the part of the mine operators. There are many laws on our statute books which are not enforced. This is about what that allegation against the mine owners amounts to. They should comply with the law. And the State authorities are there to see that they do, as with all other industries and all other interests.

There is no uniformity as to the conditions under which the miners work and live. There are some exceptionally good. There are others exceptionally bad, just as is the case with the industries of Massachusetts, for example. I saw miners' homes which, for light, air, and general sanitary comfort and convenience, make some of the factory cities of Massachusetts look very disgraceful. But there is no uniformity, and the variety is, in part, in very large part, due to the personal equation among the miners themselves. And here we face a matter which has a large part to do with conditions. Many thousands of these miners are from the Bal-

kan States, and brought with them the civilization, ideas, and ideals of these States. What those are, let the recent Balkan war itself portray. But this is hardly enough, for many of these workers, freed from the restraints of their European environment, are seven times more ready to become subjects of violence than they would be in their native environment. It is this which gives such deadly significance to the invasion of foreign agitators. But these same populations in other places and under other industrial conditions, show exactly the same characteristics that they exhibit here, and this is what makes it absurd to speak of "mine conditions" as though that term described all the workers. But that some of these workers seem to prosper under their conditions, or at least choose the saving of money, to using it for their own improvement, may be indicated by the fact that many of them saved collectively thousands of dollars which the Colorado Fuel and Iron Company holds for them as a savings bank, paying four per cent interest,—exactly what the savings banks of Massachusetts are paying,—and that in June over \$14,000 was paid in interest on these deposits.¹ Moreover, the curious fact is, that, while the war is on, the strikers still have their money, some of them, on deposit with the Company, and are drawing interest on their savings while in the Company's employ ! Certainly workers who can draw \$14,000 in interest semi-annually are not exactly to be considered as helpless ! But it may be found that some of these very people are living under conditions which are not sanitary or wholesome. This is equally true of thousands of foreigners in New England, who will save their money and

¹The amount on deposit in May, 1913, was \$494,239.03, and the amount remaining in May, 1914, was \$411,471.89. The interest earned in 1913 was \$14,470.60. This is hardly indicative of inability to accumulate savings under the prevailing conditions.

still live under conditions which they might easily improve if they chose.

The mine operators themselves admit that the conditions need improvement. What they contend is, that the improvement goes on steadily, and this seems to be justified by the facts. So far as I could judge, there has been a continuous improvement in this respect. I asked various mine operators whether they thought their workers had any grounds of complaint, and they promptly said, "Yes." I did not find any operators who did not freely admit that there was need for improvement, and great need. What they contended was that they were making the improvement as rapidly as the conditions of the industry admitted, — a contention that was partly true and, as it seemed to me, partly not true. But in any case the conditions, speaking by and large, were not such as to bring about the strike, and the strike did not arise from the mining conditions *per se*. As a simple matter of truth, when the mine conditions are considered, it depends entirely on the frame of mind in which the investigator approaches the question. You can get facts to prove any contention, the best and the worst. You can make out any kind of a case you please, if merely "making out a case" is your aim. The truth is that mining conditions in Colorado are and have been improving. There is a growing regard for life, health, and the well-being of the workers on the part of the mine operators. Under kindly feelings, as I found in certain of the mines, these improve rapidly, and under others, where some great common catastrophe has made a feeling of common sorrow between the operators and the workers, the feeling is not only good but cordial. This, I was told, was specially true in one case, where only six men came out on the strike, though a tent colony had been erected for the

whole force. The difference lay in the relation of the workers and that particular mine operator.

There are certainly portions of the Colorado mining law which have not been enforced, and the enforcement of which is of great importance to the miners. But the strike did not grow out of mining conditions. It grew out of something very different, and something which involves much more than the settlement of the Colorado strike.

WHAT ACTUALLY MADE THE STRIKE.

The strike was not the act of the mine workers of Colorado in the first instance, of which the proof is pretty clear from the fact that less than one third of them responded to the call. There is grave doubt as to the validity of the convention which actually "voted" the strike, but this is a matter of more or less doubt. But that it represented the mass of the mine workers seems, on careful examination of the facts in the case, not to be true. And this is the more likely since the mass of the workers were not conscious of their grievances to the extent which made them willing to strike, and so large a proportion of them were quite satisfied with their conditions that they could not be supposed to be willing to strike. What actually happened was something very like the following. For several years there had been a contest going on in the northern part of the State which had been hanging on in an unsettled state, and which was the subject of constant action of one kind and another by the United Mine Workers. It seems to have been resolved to make the issue in the southern region, and the subsequent arrangements show that the plan was one which contemplated matching the entire resources of the Mine Workers organization against the non-unionized operators in Colorado. Representatives were

sent into the region, and strike sentiment was "worked up," and finally a "convention" called and the strike "voted." The composition of this convention leads irresistibly to the belief that it was not a genuine convention, was not representative of the workers in the fields where the strike was to be begun, and was merely an official stalking horse for a gigantic effort to unionize the mines. The evidence on this point is more or less mixed and conflicting; but, as stated, it makes the conclusion almost irresistible that the strike was not a genuine one, in the sense that workers were rebelling themselves against conditions or rose from a public sentiment among themselves. It is this fact which makes the strike and its subsequent development so ominous. If this conclusion is correct, there is no place in the United States where an alien group of leaders may not come in and start a strike which will have as its accompaniments riot, murder, bloodshed, and every other form of disorder. The United Mine Workers of the entire land share in this awful responsibility, if these conclusions are correct, because they are furnishing the money with which this war is carried on, with which arms were purchased, with which armed men were brought into collision and human life destroyed.

This matter takes on a somewhat more culpable character when it is known that the right of free contract among the men was not seriously impaired, if at all. Men came and went at their own free will; and, in fact, the miners, as a class, are a roving class who leave one mine and go to another without assigning reasons, and, generally speaking, merely because some chum has gone or there is a desire for a change. This process was never disturbed and is not disturbed now. But the fact that so large a proportion of the workers were aliens, men ignorant of our language and ig-

norant of a good many other things which tend to stable social conditions, made then easily inflammable, and subjects of agitation which culminated in trouble. The facts seem to indicate, with rather strong emphasis, that, left to themselves, without the outside stimulation and agitation, there would have been no strike whatever, especially as the uneasy elements did not appear to be either large enough in numbers or influential enough in character to bring about such a strike as actually occurred. It was not a strike of wage earners who had become rebellious against intolerable conditions; the conditions were not uniform enough for that, and some were too prosperous to strike in any case. It was an "imported strike," brought in by an outside organization, with possibly the best intentions in the world and possibly for some good ends. But, as the case appears to me, the invasion was one which was not justified by the conditions; and the assumption that it represented the mine workers actually in the employ of the companies when declared, is utterly unjustified by the evidence. Of course, it acquired force as it extended, especially as other instrumentalities were brought to bear which augmented the numbers of the strikers. The strike was inaugurated purely for the purpose of compelling the unionizing of the mines. That is the important fact. This is not denied seriously by the leaders of the mine workers themselves. Ultimately, the union question was the main question, because it always was the real issue, and, as regards the actual beginning of the strike, the only issue which was of sufficient force to bring about the results that followed. That the strike made the workers conscious of wrongs of which they were not conscious before, may be admitted. That they were made aware of rights of which they had not been previously aware, is also probably true. But it was not any

serious consciousness of wrongs nor revolt against evil conditions which made the strike possible in the first place. It was a war for the unionizing of non-union mines and the compulsion of the mine operators to accept unionizing at the hands of the United Mine Workers of America.

WHAT UNIONIZING REALLY INVOLVES.

I have before me, while writing, a copy of one of the contracts which is made when mines are unionized, styled "Articles of Agreement and Scale of Wages between the Coal Operators in the Northern Colorado Coalfields and District No. 15 U. M. W. of A." This is dated July 14, 1908, and expired March 31, 1910. The important article in this agreement is Article 4, which I give entire, in order that the reader may see just what "unionizing" involves. It is sometimes, in fact generally, held, that the principle of collective bargaining is the one for which the United Mine Workers are struggling. But a careful perusal of this article will show that this is not "collective bargaining" as any other union would carry it on, or as any other union would submit to having it carried on. The nature of this article and the issues bound in it form substantially the crux of the entire problem, and it is hard to see that there is any possibility of carrying on business as it is now carried on under such an agreement. The article is as follows:—

"Article 4. The operators agree to check off all dues, initiation fees, fines, assessments from the miners and mine laborers also check weighman's fees for which an order shall be signed by each miner or mine laborer, addressed to the operator and shall be in the following form to wit:

"19

"To.....

"I hereby authorize you to deduct from time to time from what-

ever sum may from time to time be due me while in your employ whatever sum may be due from me as dues initiation fees fines assessments to any Local of the U. M. W. of A. to which I may belong, as may from time to time be reported to you by the Secretary of said Local and to pay the same to the secretary of said Local; and also to deduct from time to time, while in your employ, such sum as may from time to time be due from me to the check weighman at the mine at which I may be employed and to pay the same to said check weighman. It is understood that the check weighman's wages shall have preference over other deductions. After powder, oil, and cotton are paid for the union deductions above provided for shall be made."

"....."

From this agreement it appears that every miner or mine laborer on being employed becomes automatically a member of the U. M. W. of A. Otherwise he cannot be employed. If he is already employed, he must become a member or be discharged. But this is not all. He must sign an agreement by which all the union fines, fees, dues of every description, are to be deducted from his wages by the operator, his employer, and his employer must hand over this sum to the secretary who makes the requisition upon him! Thus the mine operators become organizing agents and collectors for the United Mine Workers of America and keep in existence and practically force into capacity for continuance the organization which is their greatest industrial foe. In other words the mine operator is to become financier and organizer for those who, from his point of view, seek to destroy him! If anything more absurd from the standpoint of industrial justice can possibly be imagined, it is hard to see what it is.

But it is not difficult to understand, and this understanding throws light on the developments later on. The miners are a moving, restless lot of men. They represent many types, nationalities, and degrees of ignorance. If the secretary himself undertook this work of collecting, he probably could not

possibly do it, and, failing to do it in any considerable number of cases, would throw the whole system into disorder. This is the reason why the union seeks to compel the mine operator to collect the various fees and dues, because it gives the semblance of equal dealing to it, and actually secures the collection, a thing which probably would not be secured otherwise. It is not too much to say that, without this feature, the unions, especially in regions where the miners of the type who engaged in this strike exist, could not hold together. This is not collective bargaining! This is compelling your antagonist to employ the agencies of his organization to collect your sinews of war, and making him hand over every month thousands of dollars to a person who accounts to nobody except the inner circle of his organization, while the man who makes that inner circle potent by financing it and seeing that nobody shall escape its clutches, is the mine operator under this union agreement! Is it strange that such an agreement should provoke a bitter fight? Just what other union would make such a demand? What union composed of intelligent men would yield such a command over their wages to any secretary whatever? But it is easy to see that without this, the unions would disintegrate, because it would not be possible to keep them together, because collections would not be equally made, and any break would soon lead to dissatisfaction and dissolution. This was told to me by a labor leader in Colorado. He thought it perfectly fair to require this of the mine operators, because without it the union could not exist! This is also the reason why it is possible to send thousands of dollars from other States into Colorado to carry on the strike. It does not seem as though any enlightened man can see in such a program anything that has to do with

industrial justice. It looks very like commandeering your foe to do your work for you. It is here that the crash came, and it is here that the battle is being fought. Nobody has the slightest desire to prevent any sort of organization by the miners, anywhere, at any time. All the other elements of difference could be adjusted in a moment. But to pass over thousands of dollars into the war chest of the organization, which says you have no right to your property and that you are a robber anyhow, and have no social conscience, looks to the operators like asking an impossibility. That is the reason why they fight it with such fierceness. That is the reason why they will not open the discussion on this basis. This is the real issue of the strike, and has been admitted to be such to me by all parties to the controversy. It as surely involves the life of the union as it involves the liberty of the coal operators! Of both these propositions there seems to be no room for reasonable doubt. Under this agreement the coal operator who made it, said that it simply made him the vassal of the union, making it impossible for him to reckon in the matter of output, since the union might any time, without consultation, decree a day or days off and no work done, entirely irrespective of the contract obligations of the operator. It simply transferred the control of his property to the secretary of the Local, to whom he handed thousands of dollars every month to be used for his further subjection in vassalage to the union. It is this which makes the struggle one of life or death. And the question is whether it shall be life to the union or vassalage for the operator! Without this utilizing of the operator for the maintenance of the union it cannot persist. With it the operator becomes the tool of the union for his own further subjection thereto!

BLOODSHED AND THE MILITIA.

There is not the space here to recount the evidence as it relates to the bloodshed and the savage encounters which took place between the strikers and the mine guards and the strikers and the militia of the State of Colorado. Only conclusions can be given, because the evidence, so voluminous and conflicting, has been made the subject of so much misrepresentation, that nothing but a most exhaustive treatise could give even a partial statement of the facts. But the strike being on, violence appeared naturally enough,—not because the military were called in, but because the materials for violence were at hand. The same strikers would act about the same under the same stimuli at Lawrence, or Paterson, or anywhere else, as they did at the mines in Colorado. The fact is that when the first attacks were made the rest followed naturally enough because the only instrumentality which many of them knew was violence. They were not consulted about the strike, and they were simply directed in the rest of the contest that was waged. Placing blame for the initial uses of force is a difficult matter. It is not clear, and probably never will be to the satisfaction of everybody. But this much is certain, that the militia of Colorado are the most cruelly libeled body of men, and their officers slandered beyond all bounds of reason and justice, if what evidence I have been able to gather and sift out, is worth anything. Called originally to preserve order, they did so for months; and only when the political ends of the strikers' organization began to prevent the civil administration from working properly, did the real trouble begin. If the Colorado militia had been kept on the spot, properly equipped and properly supported from the capitol at Denver, the later bloody contests would not have occurred. That seems certain. And in the

bloodiest of all the fights, the so-called "Ludlow Massacre," a brutal misnomer as I believe, the people of Colorado, instead of being ashamed, have every reason to believe in and take pride in their militiamen for their resolute efforts to save life under fire. Moreover, I believe that the statement that the militia were recruits from the mine guards is, *in effect*, a vile falsehood. That there were mine guards among them is unquestionable. That they constituted the animus, or were responsible for the directing operations of the militia, is, I believe, untrue. That the militiamen, on the whole, performed their difficult task with credit to themselves and the State of Colorado, I believe to be true. There is a great mass of testimony on the subject,—some of it "perjured to the gullet," as Kipling would say. There is much that unquestionably is intended to be truthful, but which is so colored as to be worthless, because so imaginative. There are some bare and verifiable facts; but, in the long run, the question turns upon the character of the heads of the militia, and here we are on pretty sure ground. Not that the whole duty was done prettily and with the Decalogue in mind. Nobody could look on the bullet-scarred buildings at which I gazed and see the situation as it appeared to me, and ask for Socratic calm in anybody's mind. It is not a question as to whether anybody or everybody was acting from the highest motives possible. It is a question as to whether the fearful charges spread broadcast about the volunteer soldiery of Colorado are even approximately true. Personally I believe most of them to be vile lies. And I believe that the vilest creatures in connection with the whole sad catastrophe are those scavenger journalists and magazinists who, to make a lurid story, accepted at face value, and printed as gospel truth, stories which a careful examination of these stories

with responsible agencies could have proven false. In this case the party that had the rallying cries, and that held the wires, were the ones who sought to help the strikers' cause by printing the most lurid and heart-rending stories of massacre and cruelty. The truth was bad enough, Heaven knows. When the young soldier of Colorado seeks to save life under murderous fire, and then is pilloried the country over as being engaged in "massacres," great wrong has been done, which should shame into everlasting damnation the foul hands that penned the lies. I feel strongly about this, because I had myself been led to believe in the horrible stories of butchery by the militia of Colorado. With the faults common to military organizations, and they are bad enough, it is still true that Colorado has reason to be proud of General Chase and his troops in their trying task in the coal strike in the southern coal fields. This is not to palliate one single wrong of which individuals may have been, and unquestionably were, guilty. It is, however, to lift up a voice in protest against a wrong, which cries to Heaven, against men risking their lives in defense of law and order.

THE PARAMOUNT ISSUE AT PRESENT.

But all these things have, for the moment, sunk into the background, before the greater and more serious issue which is, at the present moment, supreme before all else; and this is whether there shall be any civil order and rule of law in the State of Colorado. The first thing to settle is whether the Kantian maxim "the law that there shall be a law" has any validity in the public life and civilization of Colorado. As the case stands now, all things are held in leash to the rule of the military forces of the United States. The practical Mexicanization of a great state in this fashion is a

much more momentous matter for the people of the United States than the right or wrong of any particular struggle. The invasion of the State by what amounts to an armed force, breeding and carrying on insurrection through force, is the real question at stake; and that the United Mine Workers of America deliberately undertook to do this, and have done it, is my solemn conviction from a study of all the facts. This does not, be it thoroughly understood, vindicate the coal operators in everything they have done nor absolve them from their failure to do things which they ought to have done! No one with any considerable knowledge of the facts and desirous of doing justice to all concerned can take such a position. But this is not at the moment the supreme issue. The State of Colorado must settle, before it settles all else, the question whether it is to have a state administration which will uphold law and will maintain order, and will do this without the intervention of the President of the United States and the military forces of the Union. At the present time, men are being denied their fundamental constitutional rights by the presence of the armed forces of the United States. The right of private contract, the right to seek employment and continue therein unmolested, has been destroyed, and there can be no peace until these are restored. There is no genuine pending issue which is not provided for in the civil code, and there is no wrong for which the laws and courts of Colorado do not provide adequate relief. It is to the law and the courts to which these issues must be brought for their settlement. The introduction of murderous weapons and the gaining of industrial ends, even proper ends, by force and arms, must be resisted by all law-abiding people as leading either to tyranny or anarchy. The religious leaders of Colorado owe it to themselves, their religion, and the

rights of humanity, to see to it that this question is settled first and settled at once. Once a sound and thoroughly law-respecting administration is installed in the capitol at Denver, the adjudication of the various questions will come apace. The State of Colorado owes it to itself and to the country at large to secure the withdrawal of the United States troops and to secure the administration of its own affairs in a lawful manner, and to this end every citizen of Colorado owes his serious and earnest efforts, not only for Colorado's sake but for that of the nation as well.

It is the one hopeful sign that, as the facts become better known, and as the sober second thought of the people finds expression and utterance, this is becoming the ruling feeling in Colorado. Nobody wants the thousands of hard-working miners at all oppressed, robbed of a single right, or hindered in the free exercise of every privilege to which they are entitled. But, by these same tokens, nobody can tolerate for a moment the invasion of the State by a group of men who seek, with irresponsible and unlimited funds, to supply arms and ammunition to ignorant men and urge them to commence a bloody assault upon the laws and orderly administration of public affairs. That this has been done seems to me beyond question; and while not endeavoring to decide, with anything resembling finality, upon some of the issues of the original differences between the miners and the operators, it appears to me, that now, there can be but one opinion among men of upright intentions and true loyalty to the ideals of justice and fair dealing between man and man. That issue is whether Colorado shall be governed by military power under the personal direction of the President of the United States or by her own state administration, Governor, legislature, courts and laws, as becomes a civilized state. To

this question there seems to be but one answer, Colorado should at once resume her own government, and govern and put down all endeavors to make her the bloody battlefield for private interests, whether these call themselves labor interests or any other. That is the paramount problem in Colorado at this moment!

APPENDIX.

Those who wish to consult the documents in the case will find the following furnishing a very fair statement of both sides:—

The two briefs entitled “Conditions of the Coal Mines in Colorado,” that for the “Coal Mining Operators” and that for the “Striking Miners,” and the “Reply Brief for the Striking Miners,” both issued by the Government Printing Office. Also the statement issued by the Colorado State Federation of Labor, entitled “Militarism in Colorado,” and the “Report of the Commanding General to the Governor of Colorado” entitled “The Military Occupation of the Coal Strike Zone of Colorado,” and the document entitled “An Answer to the Report of the Commanding General, etc.,” issued by the United Mine Workers of America. Also the speeches of Hon. George J. Kindel, Congressman from Colorado, together with the entire report of the Congressional Investigating Committee. Governor Ammons gives his own statement in the *North American Review* for July, 1914. There are a vast number of minor pamphlets and reports of investigating bodies of all kinds, but the above give a fair view of the respective contentions.